

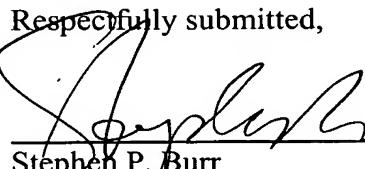
**REMARKS**

Claims 5-15 are pending herein. Claim 12 has been amended to correct a typographical error. No new matter has been added.

If the Examiner believes that contact with applicant's attorney would be advantageous toward the disposition of this case, he is herein requested to call applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen P. Burr  
Reg. No. 32,970

SPB/eav

BURR & BROWN  
P.O. Box 7068  
Syracuse, NY 13261-7068

Customer No.: 025191  
Telephone: (315) 233-8300  
Facsimile: (315) 233-8320

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claim 12 has been amended as follows:

12. (AMENDED) The method according to claim 5, wherein at least one of the crystallite size and lattice distortion of the lithium manganese oxide are controlled by:

mixing lithium-containing compounds with ~~magnesium-containing manganese-~~  
~~containing~~ compounds to form a mixture; ✓  
✓

firing the mixture in an oxidizing atmosphere at a temperature of 650°C to 1000°C for  
5 to 50 hours to form an intermediate material;

pulverizing the intermediate material to form a pulverized material; and  
firing the pulverized mixture in an oxidizing atmosphere at a temperature of 650°C to  
1000°C for 5 to 50 hours to form a final material.